

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

J. MATTHEW VAN RYN and LESLIE D.
VAN RYN,

Plaintiffs,

-v-

5:07-CV-515

PEOPLE'S BANK and PEOPLE'S BANK
CREDIT CARD SERVICES, a Division of
RBS National Bank,

Defendants.

DAVID N. HURD
United States District Judge

ORDER

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on July 13, 2007, in Utica, New York, it is hereby

ORDERED that

1. Defendants' motion for to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) is
GRANTED in part and DENIED in part;

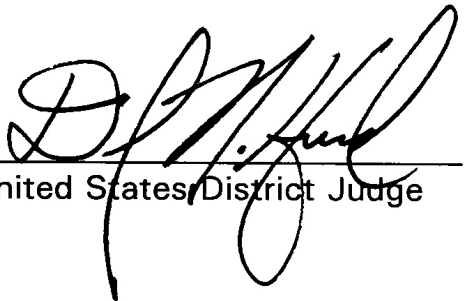
2. Plaintiffs' first cause of action is DISMISSED to the extent that it alleges
inaccurate credit reporting;

3. Plaintiffs' second, third, fourth, and fifth causes of action setting forth claims
under state law and the Bankruptcy Code are DISMISSED;

4. Plaintiffs may file and serve an Amended Complaint limited to setting forth a cause of action for untimely failure to correct inaccurate credit reporting, in accordance with the decision read into the record on this date, on or before August 13, 2007;

5. Should plaintiffs fail to file an Amended Complaint as set forth above, this action will dismissed and the Clerk of the Court will be directed to enter judgment accordingly without further Order of the Court.

IT IS SO ORDERED.



United States District Judge

Dated: July 13, 2007
Utica, New York.